

**LOWER PLATTE NORTH NRD MINUTES
BOARD MEETING
NOVEMBER 12, 2001**

The regular monthly meeting of the Lower Platte North NRD Board of Directors was called to order at 5:35 p.m. at Lower Platte North NRD Office, Wahoo, NE on Monday, November 12, 2001.

1. NOTICE OF MEETING

Public notification was made in area newspapers no later than November 1, 2001. Meeting notification and agendas were also provided.

2. ROLL CALL - INTRODUCTIONS

DIRECTORS PRESENT AND CONSTITUTING A QUORUM:

Bailey (arrived 5:40)	Bull	Eden
Grueber (arrived 6:00)	Jedlicka	Johannes
Johnson	Kavan	Mastny (arrived 5:46)
McDermott	Nelson	Reitmajer
Sabata (arrived 5:50)	Sabatka	Sendgraff
Shelso	Wilke	

DIRECTORS ABSENT

Langemeier	Saalfeld
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STAFF AND GUESTS:

Miyoshi	Mountford	Breunig
Heimann	Murren	Gottschalk
Lisa Brichacek, Wahoo Newspaper		Mike Sotak, Olsson Associates
Greg Fetterman, LPRCA		Jason Farnsworth, Olsson Associates
Al Hottovy, Village of Weston		Al and Butch Ott, Morse Bluff

3. APPROVAL OF AGENDA

4. COMMENTS - ADVISORS/GUESTS/DIRECTORS

a. NRCS Report

No Report.

b. NARD Report

Don Kavan gave an update on the November 5, NARD Board Meeting.

5. APPROVAL OF MINUTES

Bull made the motion, seconded by Sabata, to approve minutes from the October 8, 2001 Board Meeting. Motion carried on consent agenda.

6. REPORT OF STANDING COMMITTEES

A. EXECUTIVE COMMITTEE REPORT

1. Meetings

a. Reports

Attached to the Executive Committee Minutes are reports from the ASDSO Annual meeting.

b. Pending

GMDA Annual Conference

The Annual Conference of Groundwater Management District Association will be held January 13-16, 2002, San Antonio, TX. Bull made the motion, seconded by Sabata, that the District send two staff and two directors to the GMDA Annual Conference. Motion carried on consent agenda.

NACD Annual Conference

The NACD Annual Conference will be held February 3-7, 2002, Reno, NV. Bull made the motion, seconded by Sabata, that the District send two staff and two directors, plus Johannes to represent the Envirothon at the NACD Annual Conference. Motion carried on consent agenda.

c. Instate Meeting Approval

Bull made the motion, seconded by Sabata, that there be a maximum limit of 5 staff allowed to attend any instate meeting, unless receiving prior approval by the Board of Directors. Motion carried on consent agenda.

2. Management Items

a. Director Absence

Bull made the motion, seconded by Sabata, to approve the following absences: August - Wilke, September - Wilke and Grueber, October - Johannes. Motion carried on consent agenda.

b. Super Majority Vote for Land Purchases

Bull made the motion, seconded by Sabata, that the by-laws of the NRD be reviewed and potential changes including changes that would authorize a super majority vote by the Board of Directors for any district land purchases be drafted for discussion at the January Board Retreat. Motion carried on consent agenda.

Bull made the motion, seconded by Sabata, that the Snitily land purchase be on the Projects Committee Agenda each month until the project is completed. Motion carried on consent agenda.

c. NARD Resolutions

Attached to the Executive Committee Minutes are the legislative resolutions as approved by the NARD Board in September.

d. Tree Purchase Interlocal Agreement

Bull made the motion, seconded by Sabata, to approve the interlocal agreement with NARD for the purchase of trees from Bessey Nursery and authorize signature of the interlocal agreement. Motion carried on consent agenda.

e. Al Ott Response Letter

A copy of the response letter mailed to Al Ott is attached to the Executive Committee Minutes.

f. Nebraska Water Conservation Cooperative

Bull made the motion, seconded by Sabata, that LPNNRD become a member of the Nebraska Water Conservation Cooperative. Motion carried on consent agenda.

g. Bob Weaver Expenses

Bull made the motion, seconded by Sabata, that the expenses for Bob Weaver be paid by the District in the amount of \$2,030. Motion carried on consent agenda.

h. Sub District Boundaries

Johannes made the motion, seconded by Sabata, to approve the LPNNRD sub-district boundaries as distributed at the Executive Committee Meeting. The sub-district boundaries take into account nine sub-districts with the largest to smallest ratio being 2.91. Motion carried all members present voting.

Johannes made the motion, seconded by Jedlicka, to reduce the number of Board Members to one Director per sub-district. For a total of nine Board Members. Motion failed.

AYE: Jedlicka, Johannes, Sendgraff, Wilke

NAY: Bailey, Bull, Eden, Grueber, Johnson, Kavan, Mastny, McDermott, Nelson, Reitmajer, Sabata, Sabatka, Shelso

i. MUD -vs- Saunders County

Since the last Board Meeting MUD has withdrawn their original stipulation to deny Saunders County's claim. At the same time that complaint was withdrawn, a new stipulation was filed saying the NRD lacks the authority to rule on items 2-16 which are currently before us and that Saunders County lacks jurisdiction to be heard on these matters. Saunders County also filed a stipulation that the MUD's stipulations be denied. The hearing was held October 19th to rule on the Saunders County stipulation. This motion was denied by hearing officer, Terry Schaaf. The MUD issue will be heard on November 30, at 9:30 a.m. at the NRD office in Wahoo. Bull made the motion, seconded by Sabata, that the MUD -vs- Saunders County bill for hearing officer Terry Schaaf be paid in the amount of \$442.50. Motion carried on consent agenda.

j. Lower Platte River Corridor Alliance

Alliance Coordinator, Greg Fetterman was present to discuss the following items:

a. Monthly Report

Monthly reports on Alliance activities for October and November are attached to the Executive Committee Minutes.

b. Strategic Planning Session

The Alliance will hold a strategic planning session on January 24, from 3-9 p.m. at Mahoney State Park. All Board Members are encouraged to attend this planning session.

c. Budget Revisions

Fetterman distributed a revised budget for Alliance activities. A copy of this revised budget is attached to the Executive Committee Meeting Minutes.

d. Minutes from October 23rd Meeting

Copies of the October 23rd Alliance Meeting are attached to the Executive Committee Meeting Minutes.

e. Interlocal Agreement - Water Quality Education

Fetterman explained the interlocal agreement for water quality education which will promote water quality efforts the Alliance is working on behalf of the three member NRDs. The cost for these educational efforts is \$3,500 for each of the three NRDs, this payment will be due in 03 Fiscal Year. Bull made the motion, seconded by Sabata, to approve the LPRCA Water Quality Education Interlocal Agreement and authorize Management to sign said agreement. Motion carried on consent agenda.

f. Domestic Well Testing Bill

Bull made the motion, seconded by Sabata, to pay the Platte River Corridor Alliance domestic well testing bill of \$5,666.67. Motion carried on consent agenda.

g. Air Boat Tour Bill

Bull made the motion, seconded by Sabata, to pay the bill for the LPRCA Air Boat tour in the amount of \$876.87. Motion carried on consent agenda.

k. Director Work Session

A Director Work Session will be held for the District on January 17, at the Benedictine Center North of Schuyler. The Board Retreat will be a day long activity beginning at 9:00 a.m. Thursday morning and concluding prior to 9:00 p.m. that evening. Further details will be distributed as time draws near.

3. Equipment

No new business.

4. Personnel

a. Personnel Sub-Committee Minutes

Minutes from the Personnel Sub-Committee Meeting from November 1st are attached to the Executive Committee Meeting Minutes.

Johnson made the motion, seconded by Shelso, to go into Executive Session at 7:15 p.m. to discuss personnel issues. Motion carried all members present voting aye.

Shelso made the motion, seconded by Bull, to go out of Executive Session at 8:13 p.m. Motion carried all members present voting aye.

1. Wellhead Protection Position

Jedlicka made the motion, seconded by McDermott, fill the vacant Wellhead Protection Coordinator Position. Motion carried.

AYE: Bailey, Bull, Eden, Grueber, Jedlicka, Johannes, Johnson, Mastny, McDermott, Nelson, Reitmajer, Sabata, Sendgraff, Shelso

NAY: Kavan, Sabatka, Wilke

2. Receptionist Position

Jedlicka made the motion, seconded by McDermott, to fill the vacant Receptionist Position. Motion carried.

AYE: Bailey, Bull, Eden, Grueber, Jedlicka, Johannes, Johnson, Mastny, McDermott, Nelson, Reitmajer, Sabata, Sendgraff, Shelso

NAY: Kavan, Sabatka, Wilke

3. Dodge County NRCS Field Clerk

Jedlicka made the motion, seconded by McDermott, to authorize a 3% pay increase for the Dodge County NRCS Field Clerk, effective November 19, 2001. Motion carried.

AYE: Bailey, Bull, Eden, Grueber, Jedlicka, Johannes, Johnson, Mastny, McDermott, Nelson, Reitmajer, Sabata, Sendgraff, Shelso

NAY: Kavan, Sabatka, Wilke

4. LPNNRD Health Insurance

Jedlicka made the motion, seconded by McDermott, that a change in health care coverage for District employees where by the District would pay for 100% of the cost of single care insurance and 65% of extended insurance coverage, effective July 1, 2002. Motion carried.

AYE: Bailey, Bull, Eden, Grueber, Jedlicka, Johannes, Johnson, Mastny, McDermott, Nelson, Reitmajer, Sabata, Sendgraff, Shelso

NAY: Kavan, Sabatka, Wilke

5. Finance

a. Financial Reports

Johannes made the motion, seconded by Sabata, to approve the July, August and September Financial Statements. Motion carried all members present voting aye.

b. Approval of Managers Expenses

Bull the motion, seconded by Sabata, to approve the Managers expenses as attached to the Executive

Committee Minutes. Motion carried on consent agenda.

c. Payment for Annual Audit

Bull made the motion, seconded by Sabata, to pay HBE \$5,800 for the Annual Audit of the LPNNRD. Motion carried on consent agenda.

Bull made the motion, seconded by Sabata, that the November LPNNRD Executive Committee Minutes be received and placed on file. Motion carried on consent agenda.

B. OPERATION AND EDUCATION COMMITTEE REPORT

1. WHIP REPORT

a. Payments - WHIP

Bull made the motion, seconded by Sabata, to approve three WHIP/WILD NE contract payments, Stanley Egr \$735, Shirley Johannes \$630 and Cheryl Goering \$68.80 for a total payment of \$1,433.80. Motion carried on consent agenda.

b. Materials Payment

Bull made the motion, seconded by Sabata, to approve a WILD NE materials payment to Larry Loseke for \$217.37 in which native grasses were planted. Motion carried on consent agenda.

2. OPERATION & MAINTENANCE

a. The Following Updates Were Given:

- ✓ Operation and Maintenance Activities
- ✓ Rawhide Creek North Branch
- ✓ Bellwood Ditch 4 Drainage

b. Czechland Silt Dam

McDermott made the motion, seconded by Bull, to approve the bid from Midwest Dumpers to place broken concrete and concrete slurry on Czechland Silt Dam at a total cost of \$16,881. Motion carried all members present voting aye.

3. ROCK AND JETTY

a. Applications

Bull made the motion, seconded by Sabata, to approve two bank stabilization allocations, Frank Stanek \$1,000 and the City of North Bend \$3,000. Motion carried on consent agenda.

b. Payments

Bull made the motion, seconded by Sabata, to approve two bank stabilization payment, Frank Stanek, Colfax Co., \$245.92 and the City of North Bend, Dodge Co. \$2,597.50 pending staff inspections. Motion carried on consent agenda.

4. EROSION & SEDIMENT RULES & REGULATIONS

The District has not received any new complaints.

5. INFORMATION & EDUCATION

a. The following Updates Were Given:

- * Website
- * Long Range Plan
- * County Government Day
- * LPRCA Newsletter
- * Annual Banquet

b. NRD Letterhead

Bull made the motion, seconded by Sabata, that the NRD purchase 10,000 sheets of letterhead at a cost of \$1,400. Motion carried on consent agenda.

Bull made the motion, seconded by Sabata, that the November LPNNRD Operation and Education Committee Minutes be received and placed on file. Motion carried on consent agenda.

C. WATER COMMITTEE REPORT

1. REGULATORY

a. GROUND WATER MANAGEMENT AREA

1. Well Permits

For 2001 the NRD has approved 49 new well permits. This time last year we had 49 permits.

2. The Following Updates Were Given:

- ☞ Chemigation
- ☞ Saunders County -vs- MUD
- ☞ Costs Share Programs for FY 01-02
- ☞ Livestock Waste Permits

2. GROUND WATER PROGRAMS

a. Decommissioned Well Program

Bull made the motion, seconded by Sabata, to approve cost-share payment to decommission the irrigation well for Richard Tank for \$386.63. Motion carried on consent agenda.

b. The Following Reports Were Given

- * Wellhead Protection Areas
- * Groundwater Quality - Platte Valley
- * Mead NOP
- * Monitoring Wells

c. Rural Water Systems

Angle, Miyoshi and Mountford met with representatives of Wahoo, Olsson Assoc. and JEO to discuss the

Rural Water System for Wahoo, Weston and Malmo. Colon may also be interested in being a part of this system. Sabatka made the motion, seconded by Shelso, to approve two studies needed to determine the feasibility of a Rural Water System which would provide water for the Village of Weston along with data to determine the economics of adding Malmo and Colon to the Rural Water System. The cost of the studies are \$12,300 with Al Hottovy or Olsson Associates and \$11,500 with JEO for a total study cost of \$23,800. Approval of the studies is conditional upon the Village of Weston agreeing to reimburse the District one half (\$6,150) of the Rural Water System Study cost if the study finds the system feasible and the Village of Weston decides to not participate in construction of the Rural Water System. Motion carried all members present voting aye.

Bull made the motion, seconded by Sabata, that the November LPNNRD Water Committee Minutes be received and placed on file. Motion carried on consent agenda.

D. PROJECTS COMMITTEE REPORT

1. SWCP REPORT

a. SWCP Payments:

Bull made the motion, seconded by Sabata, to approve to approve a \$11,000 cost share payment on the Larry/Marianne Yost Dam. Motion carried on consent agenda.

b. CRP Incentive Payments:

Bull made the motion, seconded by Sabata, to approve the following CRP Incentive Program Payment: Gayle Jazwick - \$154.00. Motion carried on consent agenda.

c. SWCP/CIP Application Approval Considerations for Fall

Bull made the motion, seconded by Sabata, to approve the following SWCP fall application:

Fred Kadavy (Skull Creek Site 31- Priority Area) Terraces w/basin \$5,500

Motion carried on consent agenda.

d. Frank Mastera Fall SWCP Project Request

Sabata made the motion seconded by Sabata, to approve the Frank Mastera \$5,000 application for tile outlets. Motion carried all members present voting aye.

e. SWCP Application Revision

Arnold Johnson (01-S-50) has an approved application for terrace work on a field in 6-15-7 for \$5,000. Due to a communication error, this was intended to be a grade stabilization/small dam instead of terraces. Kavan made the motion seconded by Nelson, to change the approved SWCP practice from terraces to a grade stabilization structure, on the Johnson project and adjust the approved amount from \$5,000 to \$2,500. Motion carried all members present voting aye.

2. WATERSHEDS

a. Skull Creek Watershed

1. Site 55 (Homestead Lake) Recreation Construction

Kavan made the motion, seconded by Sabata, to allow Lacey Construction to complete installation

of the south boundary fence at Homestead Lake in November and allow the installation of the boat dock next spring. It was further recommended to approve payment on the \$23,185.51 bill from Lacey Construction as submitted. Motion carried all members present voting aye.

As a separate part of the recreation development, the District plans to install a well and hydrants at the Lake. Kavan made the motion, seconded by Sabata, to go to bid on the construction and installation of two hydrants for Homestead Lake. Motion carried all members present voting aye.

2. Construction of Sediment Traps at Homestead Lake

Ken Kotera, NRCS CET, has completed cost estimates on three sediment structures on our property above Homestead Lake. The Nebraska Game & Parks Commission will review the structure plans and it appears very promising that they will provide 50 - 75 % cost-share toward the estimat

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3. Contract Review to Proceed with Skull Creek Dam Site 31

Nebraska Department of Natural Resources (NDNR) made a recommendation at their September 25th meeting, that the District proceed with a project application on proposed Skull Creek Dam Site 31 at this time. Sabata made the motion, seconded by Mastny, to have Olsson Associates prepare a contract for completing the NDNR application for Skull Creek Site 31 and to complete work needed for the future Site 30 application. Motion carried all members present voting aye.

3. FSA , EQIP & CRP PLANS SIGNED

Bull made the motion, seconded by Sabata, to approve the following list of conservation plans:

- | | |
|-------------------------|---------------|
| <u>Galen Kehrli</u> | <u>Colfax</u> |
| <u>Terry Wendt</u> | <u>Colfax</u> |
| <u>Paul Cederlind</u> | <u>Boone</u> |
| <u>Randy Benson</u> | <u>Boone</u> |
| <u>Ronald Falty X 2</u> | <u>Butler</u> |
| <u>Herbert Syring</u> | <u>Butler</u> |

Motion carried on consent agenda.

4. Locally Led Landowner Groups

a. Shell Creek Locally Led Landowners

Bull made the motion, seconded by Sabata, to approve up to \$800 for conservation signs in the Shell Creek Watershed. Motion carried on consent agenda.

b. Northwest Butler County Landowners

The committee reviewed an editorial from Nancy Hartman as printed in the October 14 Columbus Telegram. This editorial has also been printed in the Banner Press and the Omaha World Herald. The Hartman editorial incorrectly stated that the Lower Platte North NRD is sponsoring a drainage project in NW Butler County. On behalf of the local Landowners Committee, the District requested the NRCS to complete a watershed survey of the area, to help identify what is causing the drainage problems. The District has publicly stated on several occasions that there is no planned project being sponsored by the NRD at this time. We plan to hold a large landowner meeting this fall, before the NRCS starts the watershed survey.

5. Other

a. Valley View Structure Assistance - Update

We have been working with Saunders County about the possibility of constructing a road dam above the Valley View Housing Development, to help protect their domestic wells from flood water. The initial plan was to seal off a box culvert and install a slotted riser to temporarily store flood water. Although this method has proven successful at other locations, having approximately 3,000 acres draining to this site raises some challenges. On behalf of the Valley View homeowners, Nick Johnson with JEO will be present at the November 29th Projects Committee Meeting to present an assistance request.

6. LAKE WANAHOO REPORT

An update was given by Murren at the Board Meeting

1. WESTERN SARPY/CLEAR CREEK LEVEE REPORT

Murren discussed the current activities.

7. ADDITIONAL ACTION ITEMS

7.a. Abandoned Well Cost-Share Payments

Kavan made the motion, seconded by Shelso, to approve the following abandoned well cost-share payments:

Village of Abie 11 Well Plugged - WHPA \$6,270.57

Village of Abie Plumbers Repair Bill \$189.89

Motion carried.

AYE: Bailey, Bull, Eden, Grueber, Jedlicka, Johnson, Kavan, Mastny, McDermott, Nelson, Reitmajer, Sabata, Sabatka, Sendgraff, Shelso, Wilke

NAY: Johannes

7.b. Wetland Survey

Kavan made the motion, seconded by Shelso, to pay \$1,500 to Austin Surveying for a survey in Section 9 & 10 T15N R7E Saunders County. Motion carried.

AYE: Bailey, Bull, Eden, Grueber, Jedlicka, Johnson, Kavan, Mastny, McDermott, Nelson, Reitmajer, Sabata, Sabatka, Sendgraff, Shelso, Wilke

NAY: Johannes

2. BILLS TO BE APPROVED

McDermott made the motion, seconded by Jedlicka, that all bills be approved and warrants be drawn in payment of same. Motion carried all members present voting aye.

3. CONSENT AGENDA ADOPTION

Bull made the motion, seconded by Sabata, to approve the amended November consent agenda. Motion carried all members present voting aye.

10. COMMENTS FROM DIRECTORS/GUESTS

11. MEETING ESTABLISHMENT AND ADJOURNMENT

The December Board of Directors Meeting will be held on Monday, December 10, 2001. Time and location to be determined. Meeting adjourned at 9:45 p.m.

Dean Johnson, Secretary